

CK # 10202841/40
3.3.10 \$300.00 1162
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2010 MAR -3 PM 12:12
DELAWARE
alicia
Jackie
Oona
Jack
Lefisha

TIDEWATER

UTILITIES INC.

PSC DOCKET #

10 - CPCN - 06

Certificate of Public Convenience and Necessity Application

Sussex County

Sussex 2110

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

March 3/3/2010

Mr. Kevin Neilson
Public Service Commission
861 Silver Lake Blvd.
Suite 100
Dover, DE 19904

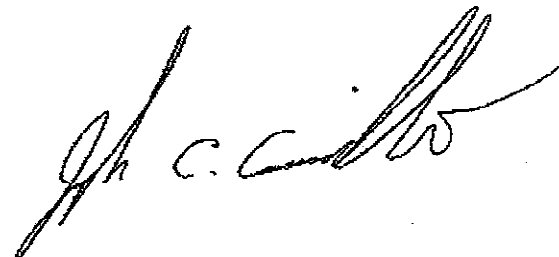
Re: CPCN Application – Sussex 2110

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Sussex 2110 area located in Sussex County, Delaware.

Two original and three copies of the application have been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-734-7500 Ext. 1014.

Respectfully,



Joseph C. Cuccinello
CPCN Coordinator
Tidewater Utilities, Inc.

cc: Mr. Grover P. Ingle, SFMO w/enclosures
cc: Mr. Ed Hallock, DPH w/enclosures
cc: Ms. Katherine Bunting-Howarth, DNREC w/enclosures

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED
TO BEGIN OR EXPAND THE BUSINESS
OF A PUBLIC WATER UTILITY**

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee \$300 for filing each extension to a CPCN
 \$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 Del. C. §203C.

WATER UTILITIES: Sussex 2110

1. Basis for application:

- ☐ a. Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
- ☐ b. Water supply in the proposed service area is insufficient to meet the projected demand; 26 Del. C., §203C (d)(2)(b)}; or
- ☐ c. The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 Del. C., §203C (e)(1)(a)}; or
- ☒ d. The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; {26 Del. C., §203C (e)(1)(b)}; or **Exhibit A**
- ☐ e. The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}.

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to customers and meet the Regulations Governing Drinking Water Standards of the State Board of Health for human consumption {26 Del. C., §203C(a)}.

3. Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.

4. (a.) Full legal name and address of Applicant:
 Tidewater Utilities, Inc.
 1100 South Little Creek Road
 Dover, Delaware 19901
- (b.) Full name of the Utility's designated representative:
 Joseph C. Cuccinello
 Emily R. Opdyke
- (c.) Phone no: 302-734-7500 X1014 or X1012
- (d.) Fax no: 302-734-9297
- (e.) Email address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com

5. Supporting documentation required by 26 Del. C. §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**

6. A complete list of county tax map parcel number(s) for the area covered by the application: **Exhibit C**

7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**

8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:

- (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
- (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
- (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
- (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.

9. Copies of petitions signed by landowners showing a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. **Exhibit A**

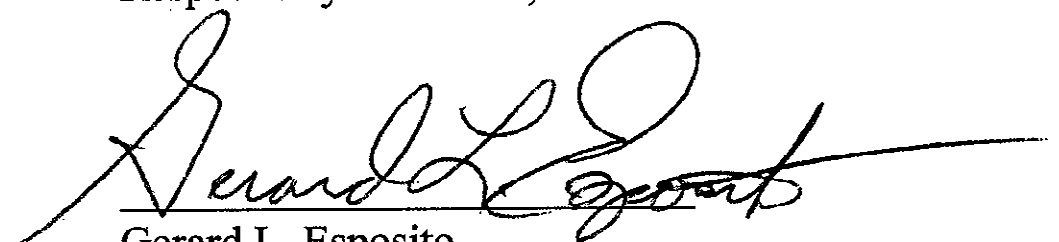
10. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, and Department of Natural Resources.

1.) The current status of such application is: **Sent**

(b.) The Applicant provides the following additional information with this application;

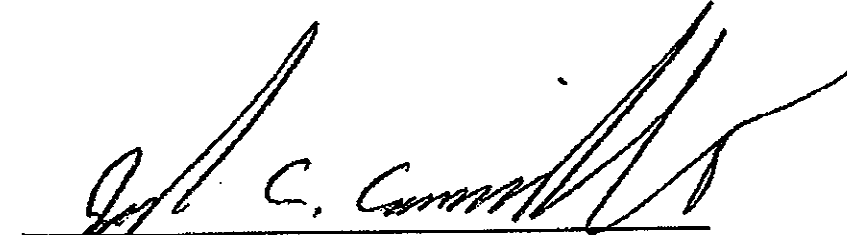
- 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, **On PSC File**
- 2.) A chart, which depicts the inter-company relationships, **On PSC File**
- 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, **On PSC File**
- 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**
- 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, **On PSC File**
- 6.) Any additional information required by PSC Staff will be made available on request.

Respectfully submitted,


Gerard L. Esposito
President

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.



Joseph C. Cuccinello
CPCN Coordinator

EXHIBIT A

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s): 532-23.00-26.00

Property Owner(s): Arlene Colodonato
2197 Sams Creek Rd
Westminster, MD 21157

Owner's Signature(s): **X** Arlene Colodonato

Date: 1/21/10

Owner's Signature(s): **X** _____

Date: _____

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

zn86

A-10-006
P-10-0011

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s): 430-20.00-33.00

Property Owner(s):

~~John C Hopkins III~~ *Decased*
Lou Ann Hopkins, ~~John C Hopkins III~~ *Decased*
& Lou Ann Hopkins Trustees
PO Box 406
Bridgeville, DE 19933

Owner's Signature(s): *X Lou Ann Hopkins*

Date: *1/6/10*

Owner's Signature(s): *X*

Date: _____

Owner's Signature(s): *X*

Date: _____

Owner's Signature(s): *X*

Date: _____

Please sign and date at the *X* and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

*A-10-006
P-10-0012*

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

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Tax Parcel Number(s): 133-9.00-25.00

Property Owner(s): Patricia S. & Ronald J. Oliphant Trustees

26796 Govenor Stockley Road
Georgetown, DE 19947

Owner's Signature(s): ☒ Patricia S. Oliphant Date: 1/10/10

Owner's Signature(s): ☒ Ronald J. Oliphant Date: 1/10/10

Owner's Signature(s): ☒ _____ Date: _____

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

Tidewater (TUI) - Water Petition
1-800-523-7224
www.tuiwater.com

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s): 233-9.00-4.00

Property Owner(s): OP Land LLC
12319 Ocean Gateway Ste 201
Ocean City, MD 21842

Owner's Signature(s): **X** Mark Clark, Member Date: 1/25/10

Owner's Signature(s): **X** _____ Date: _____

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

zn73

A-10-006
P-10-007

EXHIBIT B

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

February 1, 2010

Certified Mail # 7007 3020 0002 5598 7610

Arlene Colodonato
2197 Sams Creek Rd
Westminster, MD 21157

Dear Arlene Colodonato ,

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 532-23.00-26.00 located in **Sussex County**.

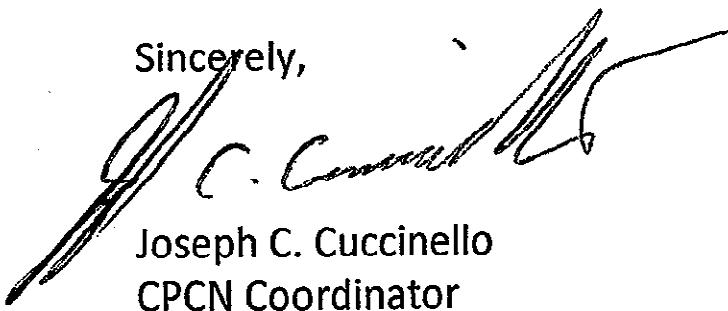
Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **March 3, 2010**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

February 1, 2010

Certified Mail # 7007 3020 0002 5598 7627

Lou Ann Hopkins
PO Box 406
Bridgeville, DE 19933

Dear Lou Ann Hopkins,

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 430-20.00-33.00 located in **Sussex County**.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **March 3, 2010**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

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If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

February 1, 2010

Certified Mail # 7007 3020 0002 5598 7634

Patricia S. & Ronald J. Oliphant Trustees
26796 Govenor Stockley Road
Georgetown, DE 19947

Dear Patricia S. & Ronald J. Oliphant,

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 133-9.00-25.00 located in **Sussex County**.

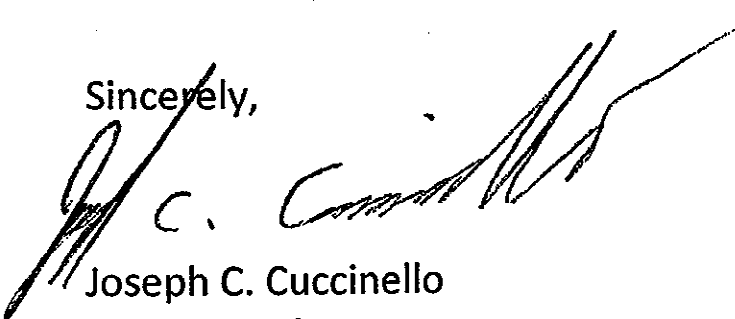
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If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

February 1, 2010

Certified Mail # 7007 3020 0002 5598 7603

OP Land LLC
12319 Ocean Gateway Ste 201
Ocean City, MD 21842

Dear OP Land LLC ,

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 233-9.00-4.00 located in **Sussex County**.

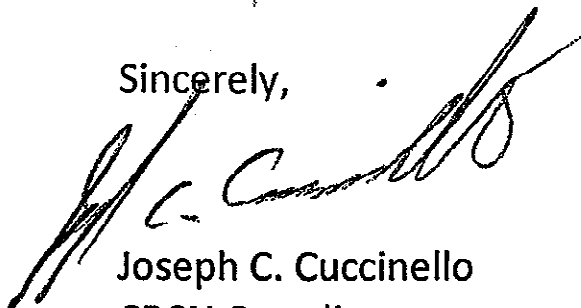
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Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

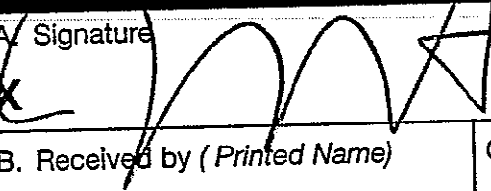
7007 3020 0002 5598 7610

U.S. Postal Service™	
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For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 1.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark
LITTLE CREEK DE 19861
FEB 0 11/11
USPS

Sent	
Street or P.O. Box	Arlene Colodonato
City, State, ZIP+4®	2197 Sams Creek Rd Westminster, MD 21157

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery 2-13-10</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
1. Article Addressed to: Arlene Colodonato 2197 Sams Creek Rd Westminster, MD 21157	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

7007 3020 0002 5598 7610

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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here

USPS

7007 3020 0002 5598 7627

Sr
Si
or
C

Lou Ann Hopkins
PO Box 406
Bridgeville, DE 19933

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Lou Ann Hopkins
PO Box 406
Bridgeville, DE 19933

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature *B. Harry* ☐ Agent
X ☐ Addressee

B. Received by (Printed Name) *Haney* C. Date of Delivery *2/13/07*

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7007 3020 0002 5598 7627

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

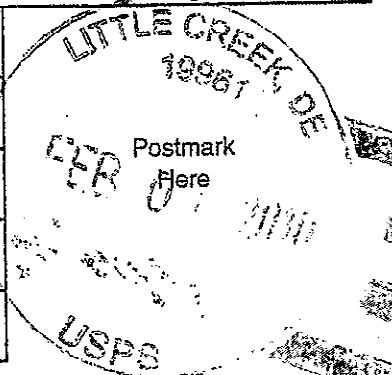
7007 3020 0002 5598 7634

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



PS Form 3800, August 2006 See Reverse for Instructions

Patricia S. & Ronald J. Oliphant Trustees
 26796 Governor Stockley Road
 Georgetown, DE 19947

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Patricia S. & Ronald J. Oliphant Trustees
 26796 Governor Stockley Road
 Georgetown, DE 19947

2. Article Number
 (Transfer from service label)

7007 3020 0002 5598 7634

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☒ Addressee
R. Oliphant

B. Received by (Printed Name) *R. Oliphant* C. Date of Delivery *2/2/10*

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$	44
Certified Fee		280
Return Receipt Fee (Endorsement Required)		230
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	554

Postmark: 19961 01 11

Sent To

Street, or PO Box
City, St

OP Land LLC
12319 Ocean Gateway Ste 201
Ocean City, MD 21842

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OP Land LLC
12319 Ocean Gateway Ste 201
Ocean City, MD 21842

2. Article Number
(Transfer from service label)

7007 3020 0002 5598 7603

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Kathy Clark ☒ Agent ☐ Addressee

B. Received by (Printed Name)
Kathy Clark

C. Date of Delivery
2-3-10

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

EXHIBIT C

Exhibit C

FirstName1	LastName1	FirstName2	LastName2	StreetNumber	City	State	Zip	Parcel/AC	ParcelID
Arlene	Colodonato			2197 Sams Creek Rd	Westminster	MD	21157	41.42	532-23.00-26.00
		John C Hopkins III & Lou Ann Hopkins							
John C	Hopkins III	Lou Ann Hop	Trustees	PO Box 406	Bridgeville	DE	19933	44.21	430-20.00-33.00
Patricia S. & Ronald J.	Oliphant Trustees	Barbara S.	Baker HRS	26796 Govenor Stockley Road	Georgetown	DE	19947	6.56	133-9.00-25.00
OP Land LLC				12319 Ocean Gateway Ste 201	Ocean City	MD	21842	110.58	233-9.00-4.00

MAPS

SEE

ORIGINALS

IN DOCKET